



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Figdor et al.

Serial No.: 09/214,836

Filed: October 4, 1999

For: MELANOMA ASSOCIATED

PEPTIDE ANALOGUES AND VACCINES

AGAINST MELANOMA

Confirmation No.: 8137

Examiner: S. Rawlings, Ph.D.

Group Art Unit: 1642

Attorney Docket No.: 2578-4230US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 25, 2004

Betty Vowles

Name (Type/Print)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in

03/29/2004 SSANDARA 00000007 09214836

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37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56(b) exists.

U	.S	P	a	te	nt	D	0	C	uı	n	en	ts

U.S. Patent No.	Publication Date	<u>Patentee</u>
US- 2002/0076392 A1		
	06-20-2002	Hoo
US- 4,485,086	11/27/1984	Wong
US- 5,376,531	12/27/1994	Anderson et al.
US- 5,783,567	07-21-1998	Hedley et al.
US- 5,874,560	02-23-1999	Kawakami et al.
US- 5,891,432	04-06-1999	Hoo
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Foreign Patent Documents

Document No.	Publication Date	<u>Patentee</u>
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WO 00/20581	04-13-2000	Ludwig Institute
WO 98/31398	07-23-1998	Pangaea Pharmaceuticals, Inc.
WO 99/06544	02-11-1999	The Immune Response Corp.
WO 99/14326	03-25-1999	Ludwig Institute
WO 99/45098	09-10-1999	van der Bruggen
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ADEMA, et al., Molecular Characterization of the Melanocyte Lineage-specific Antigen gp100, J. Biol. Chem., 1994, Vol. 269, No. 31, pp. 20126-20133

BURGESS et al., Possible Dissociation of the Heparin-binding and Mitogenic Activities of Heparin-binding (Acidic Fibroblast) Growth Factor-1 from Its Receptor-binding Activities by Site-directed Mutagenesis of a Single Lysine Residue, J. Cell Biol., 1990, 11:2129-2138.

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In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming a common inventor(s):

Attorney Docket No.:

2578-3938.1US

Serial No.:

10/136,145

Filing Date:

5/1/2002

Title:

MELANOMA ASSOCIATED ANTIGENIC POLYPEPTIDE,

EPITOPES THEREOF AND VACCINES AGAINST

MELANOMA

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits subsequent to the filing of an RCE in the above-identified application.

The fee pursuant to 37 C.F.R. § 1.17(p) is enclosed.

Respectfully submitted,

Bretton L. Crockett

Registration No. 44,632

Attorney for Applicant(s)

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Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: March 25, 2004

BLC/bv .

Enclosures: Form PTO-1449 or PTO/SB/08

Cited Documents

Check in the amount of \$180.00

Document in ProLaw

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

Complete if Known

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

	Complete if Known	Ì
Application Number	09/214,836	
Filing Date	October 4, 1999	
First Named Inventor	Figdor et al.	
Group Art Unit	1642	
Examiner Name	S. Rawlings, Ph.D.	
Attorney Docket Number	2578-4230US	

1	'use as mar	ny sheets a.	s necessary

Examiner Cite		Document Number	Publication Date	Name of Patentee or Applicant of	Pages Calumna Lines Whees Palaness
Examiner Initials *	No.1	Number - Kind Code ² (if known)	MM-DD-YYYY	Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 2002/0076392 A1	06-20-2002	Ноо	
		US- 4,485,086	11/27/1984	Wong	
		US- 5,376,531	12/27/1994	Anderson et al.	-
		US- 5,783,567	07-21-1998	Hedley et al.	
		US- 5,874,560	02-23-1999	Kawakami et al.	
		US- 5,891,432	04-06-1999	Hoo	
		US- 5,965,381	10-12-1999	van der Bruggen et al.	
		US- 5,965,535	10-12-1999	Chaux et al.	
_		US- 5,994,523	11-30-1999	Kawakami et al.	
		US- 6,245,525 B1	06-12-2001	Martelange et al.	
		US- 6,270,778 B1	08-07-2001	Kawakami et al.	
		US- 6,291,430 B1	09-18-2001	Chaux et al.	
		US- 6,303,756 B1	10-16-2001	Martelange et al.	
		US- 6,369,211 B1	04-09-2002	Chaux et al.	
		US- 6,407,063 B1	06-18-2002	Luiten et al.	
		US- 6,426,217 B1	07-30-2002	Chaux et al.	
		US- 6 500 919 B1	12/31/2002	Adema et al	

		FOREIGN P	ATENT DOCU	MENTS		
Examiner	Cite	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,	
Initials*	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶
	1	WO 00/20445	04-13-2000	Chaux		
		WO 00/20581	04-13-2000	Ludwig Institute		
		WO 98/31398	07-23-1998	Pangaea Pharmaceuticals, Inc.		
•		WO 99/06544	02-11-1999	The Immune Response Corp.		
		WO 99/14326	03-25-1999	Ludwig Institute		
		WO 99/45098	09-10-1999	van der Bruggen		
		WO 99/53061	10-21-1999	Ludwig Institute		

	Examiner Signature	Date Considered
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08A (10-01)

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

 Complete if Known

 Application Number
 09/214,836

 Filing Date
 October 4, 1999

 First Named Inventor
 Figdor et al.

 Group Art Unit
 1642

 Examiner Name
 S. Rawlings, Ph.D.

(use as many sheets as necessary)

Sheet					2578-4	230US							
	U.S. PATENT DOCUMENTS												
Examiner Cite Document Number Initials * No.1 Number - Kind Code² (if known)			Publication MM-DD-		Name of Patentee or Applicant of Cited Document			Pages, Columns, Lines, Where Rele Passages or Relevant Figures Appear					
		US-4,40	5,712			09-20-	1983	Vand	e Woude	et al.			-
		US-4,49	7,796		•	02-05-	1985	S	alser et a	ıl.			
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		US-5,20	8,149			05-04-	1993		Inouye				
		US-5,26	2,177			11-16-	1993	В	rown et a	ıl.			
		US-5,34	2,774			08-30-	1994	E	loon et a	l. T		•	
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		US-6,03	3,908			03-07-	2000	E	Sout et al				
	US-6,040,174				03-21-	2000]	mler et al					
		US-6,53	7,560			03-25-	2003			vakami et al.			
	US-2003/0144482 A1			07-31-	2003	3 Kawakami et al.							
			-			FORE	GN PA	TENT DO	CUME	NTS			
			Forei	ign F	Patent Doc						Pa	iges, Columns,	l
Examiner Cite No.1		Country	Code ³ -	- Nun	nber ⁴ - Kind	Code ⁵ (<i>if known</i>)		lication Date Name of Patentee of Applicant of Cited Document		Pass	, Where Relevant ages or Relevant igures Appear	T⁵	
		_	EP-0174608				03	03-19-1986 Leavitt					
				WC	92/21767	,		2-10-1992 Bristol-Myers		ĺ			
				WC	93/14189			1-22-1993 Ludwig Institute					
				WC	94/23067		10	10-13-1994		obott Labs			,
				WC	94/28152		12	-08-1994	Transgene S.A.				
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				WC	95/22561		08)8-24-1995 U		v. of Virginia			
				wc	95/29193	1	11	-02-1995	The Government o the United States o America				
				JP9	027482A2	!	01	-28-1997	Speedfam Co.				
Examiner Signature					<u> </u>			Date Considere	ed				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Applicant's unique citation designation number (optional) . ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B(10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO Complete if Known Application Number 09/214,836 INFORMATION DISCLOSURE October 4, 1999 Filing Date STATEMENT BY APPLICANT First Named Inventor Figdor et al. Group Art Unit 1642 (use as many sheets as necessary) S. Rawlings, Ph.D. Examiner Name Sheet 3 of 4 2578-4230US Attorney Docket Number

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS						
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), published city and/or country where published.						
		ADEMA et al., Melanocyte lineage-specific antigens recognized by monoclonal antibodies NKI-beteb, HMB-50, and HMB-45 are encoded by a single cDNA, The American Journal of Pathology, 1993, Vol. 143, No. 6, pp. 1579-1585.						
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		BURGESS et al., Possible Dissociation of the Heparin-binding and Mitogenic Activities of Heparin-binding (Acidic Fibroblast) Growth Factor-1 from Its Receptor-binding Activities by Site-directed Mutagenesis of a Single Lysine Residue, J. Cell Biol., 1990, 11:2129-2138.						
		CURTI, Crit. Rev. Oncol/Hematol. 14:29-39, 1993.						
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		GILLIES et al., Antigen binding and biological activities of engineered mutant chimeric antibodies with human tumor specificities, Human Antibody. Hybridomas, 1990, vol. 1, no. 1, pp. 47-54.						
		JAIN, Sci. Am. 271:58-65, 1994.						
		KAWAKAMI, et al., Identification of a human melanoma antigen recognized by tumor-infiltrating lymphocytes associated with in vivo tumor rejection, Proc. Natl. Acad. Sci., 1994, Vol. 91, pp. 6458-6462.						
		KWON et al., A melanocyte-specific gene, Pmel 17, maps near the silver coat color locus on mouse chromosome 10 and is in a cyntenic region on human chromosone 12, Proceedings of the National Academy of Sciences of USA, 88:20:9228-9232, October 15, 1991, Washington D.C., USA.						
		LAZAR et al., Transforming Growth Factor a: Mutation of Aspartic Acid 47 and Leucine 48 Results in Different Biological Activities, Mol. Cell Biol., 1988, Vol. 8, pp. 1247-1252.						

Examiner	Date	
Signature	Considered	

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Substitute for form 1449A/PTO Complete if Known Application Number 09/214,836 INFORMATION DISCLOSURE Filing Date October 4, 1999 STATEMENT BY APPLICANT First Named Inventor Figdor et al. Group Art Unit 1642 (use as many sheets as necessary) S. Rawlings, Ph.D. Examiner Name of 4 Sheet 2578-4230US Attorney Docket Number

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²		
		MPSRCH Search Report Seg ID No. 22, p. 1-3 (2001).			
		MPSRCH Search Report, for Seg ID No. 21, p. 1-2 (2001).			
		OSBAND et al., Problems in the investigational study and clinical use of cancer immunotherapy, Immunology Today, 1990, 11(6):193-195.			
		MARCHAND et al., Tumor regression responses in melanoma patients treated with a peptide encoded by gene MAGE-3, Int. J. Cancer, 1995 63, 883-885, Wiley-Liss, Inc.			
		ROSENBERG et al., Immunologic and therapeutic evaluation of a synthetic peptide vaccine for the treatment of patients with metastatic melanoma, Nature Medicine, March 1998, Vol 4, No. 3, pp. 321-327			
		ROSENBERG, Cancer vaccines based on the identification of genes encoding cancer regression antigens, Immunology Today, Vol. 18, No. 4, April 1997, pp. 175-182.			
		SLINGLUFF et al., Abstract, Recognition of Human Melanoma Cells by HLA-A2.1-Restricted Cytotoxic T Lymphocytes Is Mediated by at Least Six Shared Peptide Epitopes, The Journal of Immunology, April 1, 1993, pp. 2955-2963, vol. 150, No. 7, The American Association of Immunologists, USA.			
		TAO et al., Studies of Aglycosylated Chimeric Mouse-Human IgG, J. Immunol., 1989, Vol. 143, No. 8, pp. 2595-2601.			
		VOGEL et al., Human 95kD melanocyte-specific secreted glycoprotein mRNA, 3' end EMBL Database, Accession No. M32295, November 26, 1990.			

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Signature	Considered	

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